

EXHIBIT B

MARY ELIZABETH REICH
January 4, 2012

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1 Q. Do you know if sometime -- let me ask you this. Do
2 you know who was paying the premiums on that policy up
3 until that time, if you know?

4 A. Two different people.

5 Q. Who was paying them?

6 A. Mr. Lupiloff was paying and Mr. Keene had paid some.
7 So I'm not sure who paid how much.

8 Q. Who would have kept the record as to who was paying
9 that, though?

10 A. Nationwide.

11 Q. The agent office or Nationwide's office?

12 A. Nationwide. The bill is sent directly, you know, to
13 the client, and they send it in or call it in or
14 whatever they do.

15 Q. Okay. Did there come a time that you're aware of
16 where the payor of the policy was changed to Mr. Keene
17 on Nationwide's records?

18 A. I don't recall when, but I do know that it had
19 changed.

20 Q. And it was changed so that Keene was then the person
21 who was paying the premiums?

22 A. Correct, but I'm not sure at that point how much was
23 paid.

24 Q. According to Nationwide's records, that happened on --
25 the change was on October 9, '07. Does that sound

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1 right to you or not?

2 A. I don't know.

3 Q. You have no idea?

4 A. He did that directly, I believe, through Nationwide.

5 Q. So you weren't part of that transaction?

6 A. Correct.

7 MR. DANZIG: Which change are you referring
8 to, Mike?

9 MR. SCHMIDT: Change of payor.

10 MR. DANZIG: Thank you.

11 A. I don't recall being part of that transaction.

12 BY MR. SCHMIDT:

13 Q. During the course of this policy when it was in force,
14 did you ever get any calls from Mr. Keene asking if
15 the premiums were being paid?

16 A. Yes.

17 Q. How often would you get those?

18 A. About once a month.

19 Q. And that's something you would have to check for him?

20 A. No. We told him we couldn't advise him of that.

21 Q. You would direct him who to call for that?

22 A. You know, it would be myself or my staff. I know when
23 I spoke with him, I would say, you know, we could not
24 tell him that.

25 Q. Would you tell him who to call?

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1 I received was that Mr. Lupiloff took out this policy
2 for this business purpose after Mr. Keene loaned
3 Mr. Lupiloff money. Mr. Keene couldn't get any
4 information about the policy because he wasn't a named
5 insured?

6 A. He wasn't the owner.

7 Q. Thank you, he wasn't the owner, and so I also
8 understood that there was times when Mr. Lupiloff
9 wasn't making the premium payments. I'm wondering
10 when you became aware of that, that Mr. Lupiloff was
11 late on some of the premium payments?

12 A. Late, yes.

13 Q. Do you know whether he skipped any?

14 A. I don't recall.

15 Q. And here's what I've been led to believe, and I just
16 -- and there's really no way you'd know that unless
17 you had some independent information. I was trying to
18 see whether you can rule it in or rule it out. I
19 understood that, you know, Mr. Keene loaned this
20 money, he was trying to secure this debt with the
21 policy. Then I understand Mr. Keene found out that on
22 several occasions Mr. Lupiloff wasn't making the
23 payments, and that's why Mr. Keene was calling you to
24 find out, to get some kind of guarantee that the
25 payments were being made, and eventually Mr. Keene and

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1 Mr. Lupiloff had a conversation saying, Well, listen,
2 Bill, why don't you just take over the policy, you
3 make the payments, and stop nagging me to make the
4 payments because I don't want to make the payments.
5 Does that sound like a version of what you heard about
6 this change of beneficiary?

7 A. I don't know what the entire conversation was.

8 Q. But did you hear any version of that? By that I mean,
9 did you hear that, A, I think you told me that
10 Mr. Lupiloff didn't want to make the payments; he told
11 you that?

12 A. He was not excited about making the payments. I
13 remember that. But I don't, you know -- do I recall
14 him saying, I'm not making the payments, no, I don't
15 recall that.

16 Q. And do you know whether the policy ever was in
17 jeopardy of being cancelled?

18 A. I don't recall.

19 Q. And is it true that if someone's a beneficiary of an
20 insurance policy with Nationwide at that time, that if
21 a policy is being cancelled or changed, that the
22 beneficiary isn't told?

23 A. I don't recall.

24 Q. But certainly if the beneficiary or anybody else calls
25 up and wants to know the status of a policy, the